

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ELISABETH M. DUNN,

Plaintiff,

v.

LEHMAN BROTHERS BANK, FSB, et al,

Defendants.

Case No. C10-5133RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Application to Proceed *In Forma Pauperis*. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

The Court has broad discretion in determining an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9<sup>th</sup> Cir.), *cert denied*, 375 U.S. 845 (1963). As of the date of filing of this case, Plaintiff listed as an asset an investment property worth \$280,000 and reported \$2,500 per month in rental income. She also indicates that she has no one dependent upon her for support. Furthermore, Plaintiff has failed to submit a Written Consent for Payment of Costs as required by CR3(b), Local Rules W.D. Wash.

It appears that Plaintiff is able to pay the filing fee in this case, and should be required to do so. Accordingly, Plaintiff's application is **DENIED**.

Plaintiff shall have 30 days from entry of this Order to pay the required fee or this matter will be

1 dismissed without further notice.

2 **IT IS SO ORDERED.**

3 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party  
4 appearing pro se.

5 Dated this 3<sup>rd</sup> day of March, 2010.

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8 RONALD B. LEIGHTON  
9 UNITED STATES DISTRICT JUDGE  
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